12: Haar S-4 (1939) 1948 OB1 Indonesia OB/
Javanese OE5 Bali OE7 ●
Celebes OG1 75

tea service that might be used for commoners, although among the moderns such nicety is disappearing.

In Bali, the noble caste, which constitutes eight percent of the population, must be regarded as a social group living entirely outside the desa organization. But in such places as South Celebes, where the royal organization has developed out of the folk community and where royalty continues to intermarry within the families of community chiefs, the difference between royalty and non-royalty is more a difference of degree than of kind.

Appended to the princely hierarchy throughout Indonesia are the administrative officials, who transmit the royal edicts and collect and transmit taxes. The higher ranking officials are found in the capital, the lower in the country. Country officials tend sooner or later to take on the characteristic of peoples' chiefs, losing their exclusively royal identity in the process. The prince compensates his officials by granting the royal income from a definite region to each of them.

The royal circle has its own body of custom and law: its own court language, its unique cultivation of literature, drama, dance and music, its specialized arts of metal-working, wood and leather carving, and its separate life at the capital. The social organization of this royal body has been too little investigated and is but slightly known.

There is a structural organization and hierarchy in which the superiors are concerned in the legal life of subordinate officials. They enter into matters of death, marriage, land transactions, money loans, etc. In part, right to land in the capital city are official rights to residential compounds. But these rights tend to develop in the direction of native ownership.[25] Other land rights are temporary rights of aliens, as the kampong of foreign traders. Residents gradually acquire independent negotiable rights to parcels of residential compounds, in the same way as in the interior of Java, parcels of the large princely residential compounds have occasionally been given away and have come in native ownership into the hands of others.

The prince is the supreme judge. He hands down legal decisions through his law courts. These decisions are part of his princely power. When they arise from controversies between his subjects, which could not be settled in the small communities, they merge with adat rights and influence the adat law of the communities.

[25] [I.e., individual possession under group ownership.]

12: Haar S-4 (1939) 1948 OB1 Indonesia OB1
Javanese OE5
Bali OF7
Ambon OH4
BQ
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JE76

He gives a "law book" (undang undang in Malay, nawala in Javanese) of native or foreign origin to his courts for guidance. A later legislative development, mostly under Western influence, is the redaction of a portion of written adat law (pranata in Java, peswara in Bali); but it seems to develop only in the villages of Ambon and Bali. The Javanese village ordinances are merely administrative forms.

The prince is the religious head, as well. He allows the chief religious officials, the head of the mosque in the capital city, to regulate religious affairs and to administer justice in some matters. Inferior judges operate under the central temporal and religious judiciary elsewhere within the principality. These judicial administrators are of more importance for the city dwellers and officials than for the citizens of the outlying communities.

In spite of its separateness, however, the royal sphere is nevertheless linked to the peoples' world. The prince is descended from the mythical culture hero of the people. The magical import of the state ornaments is believed by all the people, high and low. The feasts and festivals with their free distribution of food strengthen the unity of prince and people in a manner that is essential and effective for both parties. Inter-communal squabbles and disputes, which threaten to lead to war between villages, are appealed to the prince, whose decision is accepted. In order to fulfil this function, the prince is repeatedly called into the country as arbiter. In contrast to this, however, the princely administration is quite definitely shut out of intro-village affairs, probably to prevent a royal displacement of local autonomy. Yet any little man can individually break through all bounds, and clad in white, can evoke the highest justice from the prince himself. Also, a group of people can appear before the prince to lodge a mass complaint against injustice. A further strengthening of the bonds through kinship between princely nobility and the people is effected by the noble practice of taking concubines from among the commoners.

Moreover, the prince permits the communities to direct their own legal life. The most important point of official contact is in the levy in money, kind, and services. Royal levies are frequently merged in the adat law obligations of a citizenry in the rendering of mutual aid to their local chiefs (see page 132) and carried out in the name of these local obligations. In the taking of levies, the chiefs are the intermediary between prince and people. Forced labor is a common practice, as is the occurrence of regal demands, which have no roots in the folk-ways. Particularly, when the officials were

12: Haar S-4 (1939) 1948 OBI Indonesia DBI
●Bali OF7 Redjang-Lampong ODI2
Minangkabau ODI0
Java OE1

423 described by being split into two parts in the manner just indicated.
425 Sometimes the document may directly declare: "I, the undersigned,
432 declare that I am pledging ————."

675 The document is signed by the person who is transferring the
[2R] land. "Signed" may mean an actual signature scrawled under the record in one script or another by the transferer, or it can be a cross, which he puts after his name, written by someone else, or an imprint of his thumb-tip in red ink. The headman of the community in which the land is situated, and any other village officials who happen to be present, and sometimes members of the transferer's lineage, and also owners of adjacent lands, and possibly, persons present as witnesses affix their signatures and marks. In other words, any one who is there.

The document is then delivered to the recipient of the land, be he purchaser, pledgee, rentor or beneficiary of a gift. Armed with this document, he can prove to everyone the legitimacy of his new personal relation to the plot. It is especially useful to show to outsiders, and more particularly, later on, to a professional judge. He is thus able to prove that his title to the land has a claim to legal protection, because he took pains to see that the legal act which established his title was "terang"—"took place in the light of day." The document is therefore written evidence (surat katerangan).

Undoubtedly the document in its operation between the two parties also has its functional place in the participant thinking of the population. But what that place is has still to be worked out. Conjectures that the document serves as a visible token in the sense of a binder, or as a means to transfer the relationship to the land in a materialized form, as it were, are rather Western conceptions that seem to lack essential contact with the content and context of the act itself. If the document may be compared to an original native institution, it may be said to be a reminder or recognition token (therefore evidence) like tree notches among the Rejang and the stone markers of Minangkabau.

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The function of the signing of the document by the chief is easier to understand in native thought. He tangibly obligates himself henceforth to recognize the new relationship as a legal relationship.

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I. LAND TRANSACTIONS WITH OUTSIDERS

423 The founding of villages at the command of princes, as a means
604 of establishing a new sphere of authority, or as a favor obtained
●635 from the prince, is well enough known, especially, in Java and Bali.

12: Haar S-4 (1939) 1948 OB1 Indonesia OB1
Java OE1
Bali OF7

Such villages commonly have a special legal status (see page 73). Reclamation of arable fields outside the established boundaries of pre-existing communities is subject solely to the provisions of the princely legal systems, or that of the Dutch administration (page 104).

In areas where the local autonomous communities do not exist (where individual rights to land are directly dominated by the legal system of the prince or the Government) any two-party land transactions are subject to possible regulations by legislation. But any such regulations must be in actual harmony with the adat law described above. Most of the persons who are operating in the area of no-man's land maintain their link to the community from which they hail. They return to their community; they have their family ties and interests there. This is the fact that administrative regulation should not overlook.

To the extent that no formal regulations have been promulgated in a given extra-community area, we can assert in confidence that the going practices of land customs and usages coincide with those of the community from which the tillers come, so that the decisions of the prince's judges and Dutch judges ought to produce rules for the area that are similar to those which are already valid in the native sphere.

However, the universal question arises: "What replaces the role of the chiefs in land dealings outside of the community domain?" Registration at the office of an administrator in the Princedoms, or with the princely officials in Bali, are excellent examples of a good substitute for that missing feature. Unfortunately, there is no such provision in directly governed territories, or in the large towns where the village chiefs have disappeared, or for the groups living outside the regular native communities (the priyayi).

The surrender of native rights to land to the Government in order to convert arable lands into the "free national domain" suitable for reissuance to non-natives is a unilateral act, which is a part of the legal system of the Government and outside of the adat. This subdivision of "agrarian law" is in urgent need of revision.